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Appln. No.: 10/562,194
Reply to Office action of November 17, 2006

JAN 17 2007

REMARKS

Claims 1-12 and 20 are canceled. Claims 12-19, 21 and 22 remain in this application.

INTERVIEW SUMMARY

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Applicants' below signed attorney, John Wright, acknowledges with appreciation the courtesy extended by the Examiner during a phone interview conducted December, 21, 2006. During the phone interview, the objection to the drawings was discussed, wherein it was agreed that the drawings show the features recited in claim 21. Accordingly, the objection should be withdrawn.

Further, the recessed region limitation recited in claim 12 was discussed. Applicants' attorney noted that both references applied in the rejection of all the claims have through openings, as opposed to a recessed region as claimed by Applicants. In order to further distinguish the recessed region limitation over a through opening, it was agreed that Applicants' attorney would incorporate additional language to specify that the recess region extends less than completely through the distance portion in which it extends. As such, claim 12 has been amended as discussed. No new issues are being raised by this amendment, but rather, one of the claimed limitations that has been claimed all along, namely, the "recessed portion", is being further defined.

Accordingly, claim 12, and thus, the remaining claims which depend from claim 12, are believed to define patentable subject matter and to be in proper form for allowance.

CLAIM REJECTIONS UNDER 35 USC § 112

Applicant has amended claim 21 to depend from claim 14 to provide proper antecedent basis for the recited limitation "the opening", and thus, the Examiner's rejection has been obviated. Accordingly, claim 21 is believed to be in proper form for allowance. Such action is respectfully requested.

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CLAIM REJECTIONS UNDER 35 USC § 102(b)

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Applicants traverse the Examiner's rejection of claims 12-15, 17, 18, 21 and 22 as being anticipated by Kubouchi et al (U.S. Pat. No. 5,544,901, referred to hereafter as "Kubouchi"), and has amended claim 12 as agreed during the phone interview summarized above. Kubouchi does not teach or suggest the incorporation of a recessed region as claimed by Applicants, nor could a recessed region incorporated into Kubouchi in a workable manner. Kubouchi relies on an intermediate plate 6 having through bores 10 to receive seal member 25 therethrough. If a recessed region were in place of the through bores 10, the teaching of Kubouchi would be destroyed.

Accordingly, Applicants believe claim 12 as further clarified to define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Similarly, Applicants traverse the Examiner's rejection of claims 12, 16 and 19 as being anticipated by Habuta et al (U.S. Pat. No. 5,895,056, referred to hereafter as "Habuta"). As with Kubouchi, Habuta does not teach or suggest the incorporation of a recessed region as claimed by Applicants, nor could a recessed region incorporated into Habuta in a workable manner. Habuta relies on an intermediate plate 6 having a rectangular sealing through slot 13 to receive seal member 25 therethrough. In order to maintain the seal member 25 in location, the seal member is fixed within an engagement hole 41 of the seal member 25. As with Kubouchi, if a recessed region were in place of the through slot 13, the teaching and function of the gasket in Habuta would be destroyed.

Claims 13-19, 21 and 22 are believed to define patentable subject matter for at least the same reasons stated in support of claim 12, and for all the separate reasons stated in the previous response.

Applicants attorney respectfully asserts that no new issues have been raised in this response. All that has been done is to further clarify what has been claimed all along, namely that a "recessed portion" is provided in the distance portion, and not a through opening, as taught in the applied Kubouchi and Habuta references. If for no other reason, Applicants' attorney believes this amendment places the application in better condition for Appeal, such as by resolving the antecedent basis issue for claim 21, and thus, respectfully contends that this response should be entered After Final.

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It is believed that this application now is in condition for allowance. Further and favorable action is requested.

If the Examiner believes any issues remain, Applicants' attorney respectfully requests that the Examiner initiate a phone interview to resolve the issues in order to place the Application in condition for allowance. Applicants' attorney can be reached at (248) 433-7390.

The Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061.

Respectfully submitted,

DICKINSON WRIGHT PLLC

JAN 16, 2007

Date

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CERTIFICATE OF MAILING

I hereby certify that this Amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on 1-17-07 via facsimile.

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